

**MINUTES OF THE  
VINEYARD TOWN COUNCIL MEETING  
Vineyard Town Hall, 240 East Gammon Road, Vineyard, Utah  
November 22, 2011**

**PRESENT:**

Mayor Randy Farnworth  
Councilmember Sean Fernandez  
Councilmember Jeff Gillespie – *arrived at 7:07 p.m.*  
Councilmember Norm Holdaway

**ABSENT:**

Councilmember Nathan Riley

**Staff Present:** Water Operator Sullivan Love, Engineer Don Overson, Town Planner Jim Carter, Deputy Recorder Debra Cullimore

**Others Present:** Stewart Park and Ed Grampp of Anderson Development.

The Vineyard Town Council held a Regular Meeting on Tuesday, November 22, 2011, beginning at 7:00 p.m. The invocation was offered by Randy Farnworth.

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**Regular Session** – The meeting was called to order at 7:00 p.m.

**MINUTES REVIEW AND APPROVAL** –

COUNCILMEMBER FERNANDEZ MOVED TO APPROVE THE MINUTES OF THE MEETING OF NOVEMBER 9, 2011. MAYOR FARNWORTH SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED UNANIMOUSLY.

**PLANNING COMMISSION UPDATE AND RECOMMENDATIONS TO THE COUNCIL** - Planning Commission Liaison Norman Holdaway

Councilmember Holdaway reported that the Planning Commission reviewed the Geneva Gateway Subdivision preliminary plat as a discussion item during the November 2, 2011 meeting. The Commission is expected to take action and make a recommendation to the Council regarding the application during the November 30, 2011 meeting.

**STAFF REPORTS** -

Planner, Jim Carter – Logan Simpson Design – Mr. Carter gave a report later in the meeting.

Engineer, Don Overson – JUB Engineers – Mr. Overson had no items to report.

Water Operator Technician – Sullivan Love – Mr. Love reported that it appears dirt and debris has been pushed into the roadway as a result of agricultural operations by Mike Holdaway. He expressed concern that the debris may cause problems with the storm drain system. Mayor Farnworth suggested that a letter be sent to Mr. Holdaway apprising him of the situation before

any further action is taken. Councilmember Fernandez felt that a letter from Town Staff would likely address the situation. Staff will follow up on the report and advise Mr. Holdaway of his responsibility in cleaning up the debris in the roadway.

Mr. Love also reported that existing land drains are being disrupted during development in the Sleepy Ridge subdivision as excavation occurs. He explained that disruption of the land drains could result in higher ground water and potential flooding. He stated that contractors are required to repair any damage to land drains to restore full function. Mr. Love stated that detail drawings regarding reconnection to land drains will be provided to contractors at the time building permits are issued. He suggested that the Town consider a written policy regarding reconnection which can be provided with the drawings. Mayor Farnworth stated that staff will draft a policy for consideration by the Council.

Attorney – David Church – Mr. Church was excused from the meeting.

Utah County Sheriff's Department – A representative of the Sheriff's Department was not present at the meeting.

## **BUSINESS ITEMS** –

**5.1 Discussion: Subdivision Ordinance Amendments** – *The Council will discuss potential subdivision ordinance amendments which would require developers to complete park or other improvements as part of future development projects.*

Town Planner, Jim Carter, distributed a one page summary of potential ordinance amendments for consideration. He explained that the Council recently removed the Parks Impact Fee from the fee schedule due to the fact that collected funds could not likely be expended in the required six year time period. He clarified that park improvements are an exaction, whether the improvements are paid for through collection of impact fees or through in kind development. He noted that the cost and burden to the developer to provide the improvements must be roughly proportional to the impact created by the development.

Mr. Carter went on to review levels of service established in the 2007 impact fee analysis. He noted that the level of service outlined in the policy does not include the area was annexed subsequent to the analysis. He recommended that the Council consider a new policy which would calculate the annexed area into the service level. Mr. Carter suggested that a Work Session be scheduled to discuss funding mechanisms for park improvements, as well as planned locations for parks. Councilmember Fernandez commented that he would prefer to plan for fewer large multiple use parks as opposed to a larger number of smaller parks. The Council briefly discussed funding options, such as cash payment in lieu of park improvements, dedication of park property, and density bonuses in exchange for dedication of park space.

A Work Session will be scheduled after the first of the year to discuss this issue in greater detail.

**5.2 Discussion and Action: Shoreline Protection Overlay Zone Ordinance** – *At the request of the Utah Lake Commission, the Council will review and possibly act to approve Ordinance # 2011- 03, Shoreline Protection Overlay Zone.*

Mr. Carter explained that the Council will not take action on this Resolution at this time, and that this discussion will introduce the concept of the Shoreline Protection Overlay Zone. He observed that communities which front Utah Lake have a variety of issues and considerations when addressing the overlay zone based on proximity to the lake, but that the intent of the overlay is to preserve public benefit, access and use of the shoreline. He suggested that issues specific to the Vineyard lake shoreline area be considered during a Work Session prior to adopting the resolution which will identify the overlay area. This issue will be discussed further during a future Work Session.

**5.3 Discussion and Action: Municipal General Election Canvass** – *The Council will sit as the Board of Canvassers to certify results of the 2011 Municipal General Election.*

COUNCILMEMBER GILLESPIE MOVED TO CERTIFY THE RESULTS OF THE NOVEMBER 8, 2011 MUNICIPAL GENERAL ELECTION AS FOLLOWS:

CANDIDATES	OFFICE	REGULAR	PROVISIONAL	TOTAL VOTES
TYLER BERGEN	COUNCIL	14	1	<b>15</b>
DONALD COSNEY	COUNCIL	9		<b>9</b>
SEAN FERNANDEZ	COUNCIL	23		<b>23</b>
NATHAN RILEY	COUNCIL	17	1	<b>18</b>

Total number to registered persons listed in the Official Register book .....78  
 Total number of regular votes .....30  
 Total number of absentee votes .....1  
 Total number of provisional ballots.....1  
 Percentage of voter turn-out.....41.03%

VINEYARD TOWN	ALPINE SCHOOL DISTRICT	REGULAR	PROVISIONAL	TOTAL VOTES
FOR	Bond	13		<b>13</b>
AGAINST	Bond	17	1	<b>18</b>

COUNCILMEMBER HOLDAWAY SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED UNANIMOUSLY.

**5.4 Discussion and Action: Roadway Purchase, Sale and Development Agreement – LDS Church – 575 South.** *The Council will review and possibly act to approve an agreement with the LDS Church to purchase the necessary right-of-way for future development of a permanent roadway at 575 South.*

Mayor Farnworth stated that he discussed this agreement with Town Attorney, David Church, during staff meeting earlier in the evening. Mayor Farnworth stated that Mr. Church had no concerns regarding the agreement. He called for comments or concerns from the Council. The Council had no concerns. Mr. Overson reviewed terms of the agreement, including impact and permit fee credits in lieu of cash payment for the property. He stated that church zoning will be maintained on one parcel for 15 years. Other parcels will be zoned appropriately as development occurs. Water lines have been installed to the property as part of the Geneva Road project in compliance with terms of the agreement.

Mayor Farnworth called for further comments or discussion. Hearing none, he called for a motion.

COUNCILMEMBER FERNANDEZ MOVED TO APPROVE THE PURCHASE SALE AND DEVELOPMENT AGREEMENT BETWEEN THE CORPORATION OF THE PRESIDING BISHOPRIC OF THE CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS AND THE TOWN OF VINEYARD. COUNCILMEMBER HOLDAWAY SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

**5.5 Discussion and Action – 2012 Annual Meeting Schedule.** *The Council will review and possibly act to approve the 2012 Annual Meeting Schedule for the Town Council and the Planning Commission. The Planning Commission schedule will also be reviewed and approved by the Planning Commission.*

COUNCILMEMBER HOLDAWAY MOVED TO APPROVE THE 2012 ANNUAL MEETING SCHEDULE FOR THE VINEYARD TOWN COUNCIL AND PLANNING COMMISSION. COUNCILMEMBER GILLESPIE SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

**5.6 Discussion: Purchase of iPads** - *The Council will discuss the possibility of purchasing iPads or similar electronic devices for use during Town Council Meeting and other Council assignments. Use of the iPads would eliminate the need for paper packets currently used by the Council during Town Council Meetings.*

Councilmember Fernandez presented information to the Council regarding purchase of iPad devices and related equipment. He recommended purchasing 16GB devices with WiFi and 3G, along with covers, stylus, and necessary apps at a cost of \$4,254. The Council also discussed purchase of insurance for the devices to cover repair or replacement if necessary. Town Attorney, David Church, will draft a policy which will outline the terms of use for staff

and Councilmembers, as well as depreciate the devices over a four year period, allowing Councilmembers to retain the device after four years. New incoming Councilmembers would be furnished with new iPads at the time they take office.

This item will be placed on the agenda for the December 14, 2011 meeting for consideration and possible action.

### **OPEN SESSION** – Citizen Comments

Mayor Farnworth called for comments from the audience. There was no public comment.

### **COUNCILMEMBER'S REPORTS** –

**Councilmember Riley** – Councilmember Riley was not present at the meeting.

**Councilmember Holdaway** – Councilmember Holdaway had no items to report.

**Councilmember Gillespie** – Councilmember Gillespie requested that staff send a letter to A to Z Landscaping thanking them for a job well done on the park maintenance contract.

**Councilmember Fernandez** – Councilmember Fernandez reported on Timpanogos Special Service District projects which they are attempting complete in conjunction with other waterline projects.

Councilmember Fernandez also reported that he has been contacted by UTOPIA requesting his signature on documents relative to obtaining loan funding. He expressed concern regarding any obligation to the Town if the document is signed. Mayor Farnworth suggested that Councilmember Fernandez contact David Church to discuss the issue prior to signing.

### **MAYOR'S REPORT** –

Mayor Farnworth had no items to report. He invited Town Engineer, Don Overson, to report on Central Utah Project water storage projects and water service to the Eastlake subdivision. Mr. Overson reviewed terms of the agreement with Anderson Development which require construction of a 2 million gallon storage facility. CUP is requesting that the storage to serve Vineyard be built in conjunction with a storage facility located in Saratoga Springs. Locating the storage in Saratoga Springs would eliminate the need to build a tank on site while still providing the necessary storage capacity. Vineyard would be required to pay a share of the storage facility based on the Town's water allotment.

Mr. Overson reported that 12,000 acre feet of the 15,000 acre feet of water allotted for the Eastlake subdivision annually has already been used. He noted that FedEx is using currently using approximately 10,000 acre feet annually, and that steps need to be taken to curb water use at that location.

Town Planner, Jim Carter, reported to the Council that he was recently contacted by Lindon City regarding the alignment of the Lindon Heritage Trail near the Eastlake subdivision.

Due to obstacles in the area, it will be necessary to move the constructable area for the trail south. Lindon will need to purchase approximately 15,000 square feet from a property owner in the subdivision, which would require relocation of the future building on that lot. Relocation of the building will reduce the required landscape buffer area along the lot frontage. Parking area and building square footage will not be affected by the change. Net landscaped area on the lot will comply with ordinance requirements. Mr. Carter explained that this adjustment can be approved administratively if it is found to be in the public interest. He felt that the request is a public benefit as it will allow completion of the trail. The property owner will need to acquire approval from the existing HOA in the subdivision for the landscape reduction which will not meet CCR requirements. The Council expressed no concern regarding administrative approval of this request.

**ADJOURNMENT** –

The Regular Town Council Meeting was adjourned at 8:20 p.m. The next Regular Town Council meeting is scheduled for December 14, 2011.

**MINUTES APPROVED ON** – December 14, 2011

**CERTIFIED CORRECT BY** \_\_\_\_\_  
**DEBRA CULLIMORE, DEPUTY RECORDER**